

Message Text

UNCLASSIFIED

PAGE 01 STATE 212279
ORIGIN EB-08

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FM SECSTATE WASHDC
TO AMEMBASSY DAKAR

UNCLAS STATE 212279

E.O. 11652: N/A

TAGS: EAIR, SG

SUBJECT: US-SENEGAL AIR TRANSPORT AGREEMENT

REF; DAKAR 5161

1. DEPARTMENT AND INTERESTED AGENCIES HAVE REVIEWED
NDOY'S COMMENTS AND FIND THEM ACCEPTABLE WITH THE
FOLLOWING EXCEPTIONS AND COMMENTS:

(1) IN ARTICLE 1(B) OF ENGLISH TEXT OF AGREEMENT THE
WORD "SUZERAINTY" (WHICH IS IN FRENCH TEXT) APPEARS TO
HAVE BEEN INADVERTANTLY DROPPED. IT SHOULD BE INCLUDED
AS IN THE FRENCH TEXT.

(2) IN ARTICLE 3(D), LINE 2 OF THE FRENCH TEXT OF
AGREEMENT, IT APPEARS THAT PROPOSED FRENCH TEXT IS AN
ATTEMPT TO TRANSLATE LITERALLY THE ENGLISH PHRASE
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"...UPON RECEIPT FROM A DESIGNATED AIRLINE ...".
IT IS SUGGESTED THAT SENTENCE READ IN FRENCH TEXT
"...DES RECEPTION D'UNE DEMANDE SOUMISE PAR UNE
ENTERPRISE DESIGNEE...".

(3) RE ARTICLES 5(A) AND 5(B) OF THE AGREEMENT, IN
ORDER TO AVOID DISCUSSION OF THE SEVERAL CONFUSING AND

ERRONEOUS ELEMENTS INVOLVED THEREIN, IT IS SUGGESTED THAT THE FRENCH TEXTS BE CHANGED AS FOLLOWS:

A. ART. 5(A), LINE 1: "...DE CHAQUE PARTIE CONTRACTANTE ... " TO READ "...D'UNE PARTIE CONTRACTANTE..."

B. ART. 5(B), LINE 7: "...DE L'ANTRE PARTIE CONTRACTANTE ... " TO READ "...DE LA PARTIE CONTRACTANTE MENTIONEE IN PREMIER LIEU." THE ENGLISH TEXT SHOULD BE ALSO CHANGED TO READ "THE FIRST-MENTIONED CONTRACTING PARTY" RATHER THAN "THE FIRST CONTRACTING PARTY". WITH ABOVE CHANGES BOTH TEXTS WOULD CONFORM.

(4) IN ARTICLE 6(B), LINES 2-4 OF AGREEMENT, THE US TEXT READS "...AIRMEN, AIRCRAFT, AND THE OPERATION..." WHILE THE FRENCH TEXT NOW READS "...FLIGHT PERSONNEL - AND THE OPERATION...". WE BELIEVE IT IS IMPORTANT TO RETAIN "AIRCRAFT".

(5) IN LAST TWO LINES OF ARTICLE 8(A)(1), DISCREPANCY HAS NOT BEEN CORRECTED. FRENCH TEXT SHOULD BEGIN WITH "A L ENTREE SUR SON TEUTOIRE..." RATHER THAN WITH "...SERONT EXONERES..."

(6) IN ARTICLE 11(D)(2) OF AGREEMENT, FRENCH UNCLASSIFIED

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PHRASE NOW READS "...THROUGH AIRLINE OPERATIONS..." FOR "...DIRECT OPERATION OF THE AIRLINE..." AS FORMERLY SUGGESTED BY US. TO CONFORM WITH ORIGINAL INTENT OF TEXTS AS AGREED IN NEGOTIATIONS, WE NOW PREFER TO RETURN TO ORIGINAL FRENCH TEXT WHICH READS "...LONG-HAUL AIRCRAFT OPERATIONS..."

2. IF ABOVE IS ACCEPTABLE TO SENEGALESE PLEASE PROCEED WITH IMPLEMENTING AGREEMENT. CHRISTOPHER

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NNN

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